

**COURT OF APPEALS OF GEORGIA
DOCUMENT RETURN NOTICE FOR APPLICATIONS**

July 1, 2015

To: Mr. Donald A. Sweat, Gardner Willis Sweat & Handelman, LLP, 1201 Peachtree Street, N.E.400
Colony Square • Suite 200, Atlanta, Georgia 30361

Docket Number: Style:

Your document(s) is (are) being returned for the following reason(s).

1. Your Application was not accompanied by the statutory filing fee, \$300.00 civil; \$80.00 criminal, or a sufficient pauper's affidavit, Appointment of Counsel or affidavit of counsel. OCGA§5-6-4 and Rule 5 Please be advised that your pauper's affidavit should be notarized by a notary public.
2. Portions of the record included were not tabbed and indexed. Rules 30 (e) and 31 (c).
3. A stamped "filed" copy of the trial court's order to be appealed was not attached to your Application. Rules 30 (b) and 31 (e)
4. A stamped "filed" copy of the Certificate of Immediate Review was not attached to your Interlocutory Application. Rule 30(b)
5. Your document(s) was (were) not signed by counsel (No signatures with expressed permission are permitted). Rule 1 (a)
6. There were an insufficient number of copies of your document. Rule 6
7. No Certificate of Service accompanied your document(s). Rule 6 You should provide a copy of your filing to the District Attorney and include his/her name and address on your Certificate of Service.
8. Your Certificate of Service did not include the complete name and /or mailing address of each opposing counsel and pro se party. Rule 1(a) and 6
9. Your document exceeds page limits. Rules 24(f) , 30(e) and 31(c)
10. Your request for court action must be submitted in motion form. Rule 41 (a)
11. No extension of time for filing an interlocutory application will be granted . Rule 30 (g) . No extension of time will be granted for filing a discretionary application unless the motion for extension is filed on or before the due date of the discretionary application.
12. The type font was smaller than 10 characters per inch; type was not double-spaced or/and type was on both sides of the paper. Rules 1(c), 24(b), 37(a) and 41(b).
13. **Enclosed also, please find your check #93787 drawn on SB&T Bank, payable to the Clerk, Georgia Court of Appeals in the amount of \$300.00.**
14. **Electronic filing is mandatory in this Court. The following Rule 46 became effective January 1, 2015.**

XXII. ELECTRONIC FILING OF DOCUMENTS

Rule 46. Electronic Filing of Documents.

Counsel is required to use the Court's electronic filing system and to follow the policies and procedures governing electronic filing as set forth in the Court's electronic filing instructions. The Clerk of Court may grant a request for exemption from mandatory electronic filing for good cause shown. An adverse decision by the Clerk of Court may be appealed by motion to the Court via a paper filing.

Rule passed October 21, 2014 - effective January 1, 2015



SHERMAN WILLIS
DONALD A. SWEAT
TODD S. HANDELMAN
GAIL S. PURSEL
DEENA PLAIRE-HAAS
GLENN M. BOOKER
MARK L. PICKETT *
AMANDA K. GOFF **
KIMBERLY L. GUTHRIE ***
CARA R. FIORE
SMITH N. WILSON

ALBANY OFFICE

2408 WESTGATE DRIVE
POST OFFICE DRAWER 71788
ALBANY, GEORGIA 31708-1788
TELEPHONE: (229) 883-2441
FACSIMILE: (229) 888-8148
Email: gwsh@gwsh-law.com

ATLANTA OFFICE

PMB #250
1201 PEACHTREE STREET, N.E.
400 COLONY SQUARE
SUITE 200
ATLANTA, GEORGIA 30361-6303
TELEPHONE: (404) 874-9588

REPLY TO: ALBANY OFFICE

*Also Admitted in South Carolina
**Also Admitted in Florida
***Also Admitted in Alabama and Mississippi

B. C. GARDNER, JR.
1920-1992

June 30, 2015

VIA FEDEX NEXT DAY AIR

Stephen E. Castlen, Clerk
Court of Appeals of Georgia
Suite 501
47 Trinity Avenue, SW
Atlanta, Georgia 30334

Re: Application for Appellate Review
GWSH File No. 1978-208

Dear Mr. Castlen:

In connection with the referenced matter enclosed please find an original and two copies of the following:

- (1) Application for Appellate Review filed by Julia M. Swanson and Dave E. Swanson; and
- (2) Index of Record Material Submitted in Support of Application for Appellate Review.

Also enclosed is our firm's check in the amount of \$300 in payment of filing fees. I have also enclosed a copy of the first page of each document submitted for filing, which I ask be stamped "filed" and returned to me in the self-addressed, stamped envelope enclosed for your convenience. If there is anything further you need, please advise.

Sincerely yours,

GARDNER, WILLIS, SWEAT & HANDELMAN, LLP

DONALD A. SWEAT

DAS/kf
Enclosures
cc: Alfred N. Corriere
11-180-2015-04.wpd

IN THE COURT OF APPEALS
STATE OF GEORGIA

JULIA M. SWANSON and DAVE :
E. SWANSON, :

Appellants, :

NUMBER: _____

vs. :

JESSICA TACKLING, Individually :
and JESSICA TACKLING, as :
Mother, Next Friend, Custodial :
Parent and Natural Guardian of :
JOEL REYES, a minor :

Appellees. :

**INDEX OF RECORD MATERIAL SUBMITTED IN SUPPORT OF
APPLICATION FOR APPELLATE REVIEW**

TAB A - DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

TAB B - DEFENDANTS' STATEMENT OF MATERIAL FACTS AS TO
WHICH THERE IS NO GENUINE ISSUE TO BE TRIED

TAB C - DEFENDANTS' BRIEF IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT

TAB D - PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT

